

**TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
DECEMBER 11, 2001**

The Tippecanoe County Council held its regular meeting on Tuesday, December 11, 2001 at 2:00 P.M. in the Tippecanoe Room in the County Office Building. Council members present were: President David S. Byers, Vice President Connie Basham, Jeffrey Kessler, Margaret K. Bell, Kathy Vernon, and Ronald L. Fruitt; Auditor Robert A. Plantenga, Attorney David W. Luhman, and Secretary Pauline E. Rohr. (Councilmember Jeffrey A. Kemper was absent.)

President Byers called the meeting to order and led the Pledge of Allegiance. He then called upon Mr. Abe Vreeke, Principal of Lafayette Christian School, to offer a prayer.

APPROVAL OF MINUTES

- Councilmember Fruitt moved to approve the minutes of the November 13, 2001 Special Meeting with Mayor Margerum, seconded by Councilmember Vernon; motion carried.
- Councilmember Kessler moved to approve the minutes of the November 13, 2001 Regular Meeting, seconded by Councilmember Basham; motion carried.

FINANCIAL STATEMENT: Auditor Robert Plantenga

Auditor Plantenga reported the 2001 uncommitted County General Funds through November 30, 2001 are \$291,813.86.

INTEREST STATEMENT: Treasurer Oneta Tolle

Interest earned through October 2001 was \$231,900.07. The average interest rate dropped from 3.17% in September to 2.42% in October.

ORDINANCE 2001-44-CL: Imposes a Penalty for Failure to Comply with Ordinance 87-31-CL

This Ordinance allows the Treasurer to impose a Late Fee for those establishments that fail to report and pay the Innkeeper's Tax within the time required. Attorney Luhman explained that the 10% penalty is the same rate imposed for a late filing of a Personal Property return.

(quote)

ORDINANCE 2001-44-CL

**AN ORDINANCE AMENDING ORDINANCE 87-31-CL SUBJECTING INNKEEPER'S TAX
PAYMENT OF TIPPECANOE COUNTY, INDIANA TO BE COLLECTED BY THE COUNTY
TREASURER**

WHEREAS, the Tippecanoe County Council did on the 13th day of October, 1987 enact Ordinance 87-31-CL designating, the Tippecanoe County Treasurer as the collector and reporter of the Innkeeper's Tax collected in the County of Tippecanoe pursuant to IC 6-9-7-6 and

WHEREAS, the Tippecanoe County Treasurer has determined that certain persons required to collect and pay said Innkeeper's Tax have failed to report and pay said tax within twenty (20) days after the end of each month as required by Ordinance 87-31-CL; and

WHEREAS, the Tippecanoe County Council has determined the necessity of imposing a penalty for failure to comply with Ordinance 87-31-CL.

NOW, THEREFORE, BE IT ORDAINED that Ordinance 87-31-CL, Paragraph 3 be and the same is hereby amended to read as follows:

That the Innkeeper's Tax shall be paid to the Tippecanoe County Treasurer not more than twenty (20) days after the end of the month the Innkeeper's Tax is collected. If a person fails to (1) file a return, or (2) pay the full amount of the Innkeeper's Tax due from such person on or before the due date for such return or payment, the person shall be subject to a penalty of.

- a. Ten percent (10%) of:
 - (1) The full amount of the tax due if the person failed to file the returns;
 - (2) The amount of the tax not paid if the person filed the return but failed to pay the full amount shown on the return.
- b. Interest at the rate of eight percent (8%) per annum on the unpaid balance of such tax and penalty until paid in full.

BE IT FURTHER ORDAINED, that Ordinance 87-31-CL shall in other respects remain in full force and effect.

BE IT FURTHER ORDAINED, that this Ordinance shall become effective on January 1, 2002.

Presented to the County Council of Tippecanoe County, Indiana, for the first time, and approved this 11th day of December, 2001, by the following vote:

VOTE	TIPPECANOE COUNTY COUNCIL
David S. Byers	David S. Byers, President
Connie Basham	Connie Basham, Vice President
Jeffrey Kessler	Jeffrey Kessler
Kathy Vernon	Kathy Vernon
Margaret K. Bell	Margaret K. Bell
Ronald L. Fruitt	Ronald L. Fruitt
Jeffrey A. Kemper	Jeffrey A. Kemper

ATTEST:

Robert A. Plantenga, Auditor

A unanimous consent motion to consider on First Reading, same day or same meeting of introduction was [not offered/not] sustained by a vote of ___ in favor and ___ opposed, pursuant to IC 36-2-4-7.

Presented to the County Council of Tippecanoe County, Indiana, for the second time, and DULY ORDAINED, PASSED AND ADOPTED this 11th day of December, 2001, by the following vote:

VOTE

TIPPECANOE COUNTY COUNCIL

David S. Byers

David S. Byers, President

Connie Basham

Connie Basham, Vice President

Jeffrey Kessler

Jeffrey Kessler

Kathy Vernon

Kathy Vernon

Margaret K. Bell

Margaret K. Bell

Ronald L. Fruitt

Ronald L. Fruitt

Jeffrey A. Kemper

Jeffrey A. Kemper

ATTEST:

Robert A. Plantenga, Auditor

(unquote)

- Councilmember Kessler moved to approve Ordinance 2001-44-CL on first reading, seconded by Councilmember Vernon.

Auditor Plantenga recorded the vote:

David Byers	Yes
Connie Basham	Yes
Jeffrey Kessler	Yes
Kathy Vernon	Yes
Margaret Bell	Yes
Ronald Fruitt	Yes
Jeffrey Kemper	Absent

- The motion to approve Ordinance 2001-44-CL passed 6 – 0 on first reading.
- Councilmember Kessler moved to waive the rules and allow a vote on second reading the same day as presented, seconded by Councilmember Fruitt; motion carried.
- Councilmember Basham moved to approve Ordinance 2001-44-CL on second reading, seconded by Councilmember Bell.

Auditor Plantenga recorded the vote:

Connie Basham	Yes
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Jeffrey Kessler	Yes
Kathy Vernon	Yes
Margaret Bell	Yes
Ronald Fruitt	Yes
David Byers	Yes
Jeffrey Kemper	Absent

- The motion to approve Ordinance 2001-44-CL passed 6 – 0 on second and final reading.

ORDINANCE 2001-45-CL: Mobile Home Transfer and Moving Permit Processing Fee

Attorney Luhman read the Ordinance:

(quote)

ORDINANCE NO. 2001-45-CL

ESTABLISHING PROCESSING FEE FOR MOBILE HOME TRANSFER AND MOVING PERMITS BY
TIPPECANOE COUNTY TREASURER AND ESTABLISHING TREASURER’S CAPITAL REPAIR AND
MAINTENANCE FUND

WHEREAS, the Policy of the State is to grant local governments all powers that they need for the effective operation of government as to local affairs, as stated in I.C. 36-1-3-2; and

WHEREAS, the County has all powers necessary or desirable in the conduct of its affairs even though not granted by statute; and

WHEREAS, many persons are requesting the Tippecanoe County Treasurer to issue permits for the moving or transfer of title of mobile homes as required by IC 6-1.1-7-10; and

WHEREAS, each such request requires the expenditure of much time and labor by a deputy treasurer and such requests have become an uncompensated burden upon the Treasurer; and

WHEREAS, many counties charge a fee for similar services; and

WHEREAS, it is in the best interests of the residents of Tippecanoe County that a charge should be made for such services; and

WHEREAS, after study it has been determined that the fee should be \$10.00 for each mobile home moving permit or transfer of title permit issued by the Treasurer; and

WHEREAS, the Tippecanoe County Council desires to establish a fund for the repair and replacement of capital equipment of the office of the Tippecanoe County Treasurer; and

WHEREAS, this Ordinance does not rescind or conflict with any previous ordinance, state statute or Federal law whereby any fee has been established for such service.

NOW, THEREFORE, BE IT ORDAINED, that effective as of 8:00 a.m. on January 1, 2002, a fee of \$10.00 shall be charged by the Tippecanoe County Treasurer for each mobile home moving permit or transfer of title permit issued by the Treasurer; and

BE IT FURTHER ORDAINED, that the County Treasurer shall post the fee set forth in this Ordinance in a prominent place within the Treasurer's Office where the fee schedule is readily accessible to the public; and

BE IT FURTHER ORDAINED, that such fee shall be paid at, or prior to, the time of the request in cash or by check or money order made payable and delivered to the Treasurer of Tippecanoe County. The sum of \$5.00 of each such fee collected shall be deposited in the Tippecanoe County General Fund and \$5.00 shall be deposited in a Treasurer's Capital Equipment Fund which is hereby established for the purpose of funding the repair and replacement of capital equipment for the Tippecanoe County Treasurer's Office, subject to annual appropriation by the Tippecanoe County Council.

This Ordinance shall be effective January 1, 2002.

Presented to the County Council of Tippecanoe County, Indiana, and read in full for the first time, and approved this 11th day of December, 2001, by the following vote:

	VOTE	TIPPECANOE COUNTY COUNCIL
David S. Byers	_____	David S. Byers, President
Connie Basham	_____	Connie Basham, Vice President
Jeffrey Kessler	_____	Jeffrey Kessler
Jeffrey A. Kemper	_____	Jeffrey A. Kemper
Kathy Vernon	_____	Kathy Vernon
Margaret K. Bell	_____	Margaret K. Bell
Ronald L. Fruitt	_____	Ronald L. Fruitt

ATTEST:

Robert Plantenga, Tippecanoe County Auditor

Presented to the County Council of Tippecanoe County, Indiana, and read in full for the second time, and adopted this 11th day of December, 2001, by the following vote:

	VOTE	TIPPECANOE COUNTY COUNCIL
David S. Byers	_____	David S. Byers, President
Connie Basham	_____	Connie Basham, Vice President
Jeffrey Kessler	_____	Jeffrey Kessler
Jeffrey A. Kemper	_____	Jeffrey A. Kemper
Kathy Vernon	_____	Kathy Vernon

Margaret K. Bell

Margaret K. Bell

Ronald L. Fruitt

Ronald L. Fruitt

ATTEST:

Robert Plantenga, Tippecanoe County Auditor

(unquote)

President Byers stated that he objects to depositing \$5.00 of the fee into a special Treasurer's Fund when such requests by other departments (i.e. Parks) have been denied. Councilmember Basham agreed with him that the entire \$10.00 fee should be deposited into the County General Fund.

Councilmember Vernon said she supports the Treasurer's request as a creative way of raising funds, but Councilmember Fruitt said it is the Council's responsibility to distribute funds for capital items.

Citing the importance of consistency, Councilmember Kessler said he couldn't support the request and Councilmember Bell agreed.

The following amendments were offered:

From:

ESTABLISHING PROCESSING FEE FOR MOBILE HOME TRANSFER AND MOVING PERMITS BY
TIPPECANOE COUNTY TREASURER AND ESTABLISHING TREASURER'S CAPITAL REPAIR AND
MAINTENANCE FUND

To:

ESTABLISHING PROCESSING FEE FOR MOBILE HOME TRANSFER AND MOVING PERMITS
BY TIPPECANOE COUNTY TREASURER

From:

BE IT FURTHER ORDAINED, that such fee shall be paid at, or prior to, the time of the request in cash or by check or money order made payable and delivered to the Treasurer of Tippecanoe County. The sum of \$5.00 of each such fee collected shall be deposited in the Tippecanoe County General Fund and \$5.00 shall be deposited in a Treasurer's Capital Equipment Fund which is hereby established for the purpose of funding the repair and replacement of capital equipment for the Tippecanoe County Treasurer's Office, subject to annual appropriation by the Tippecanoe County Council.

To:

BE IT FURTHER ORDAINED, that such fee shall be paid at, or prior to, the time of the request in cash or by check or money order made payable and delivered to the Treasurer of Tippecanoe County. The sum of \$10.00 of each such fee collected shall be deposited in the Tippecanoe County General Fund.

- Councilmember Basham moved to approve Ordinance 2001-45-CL subject to the proposed amendments on first reading, seconded by Councilmember Fruitt.

Auditor Plantenga recorded the vote:

Connie Basham	Yes
Jeffrey Kessler	Yes
Kathy Vernon	Yes
Margaret Bell	Yes
Ronald Fruitt	Yes
David Byers	Yes
Jeffrey Kemper	Absent

- The motion to approve Ordinance 2001-45-CL passed 6 – 0 on first reading.
- Councilmember Fruitt moved to waive the rules and allow a vote on second reading the same day as presented, seconded by Councilmember Basham; motion carried.
- Councilmember Bell moved to approve Ordinance 2001-45-CL as amended on second reading, seconded by Councilmember Kessler.

Auditor Plantenga recorded the vote:

Margaret Bell	Yes
Kathy Vernon	Yes
Jeffrey Kessler	Yes
Connie Basham	Yes
David Byers	Yes
Ronald Fruitt	Yes
Jeffrey Kemper	Absent

- The motion to approve Ordinance 2001-45-CL passed 6 – 0 on second and final reading.

ELMSTEEL, INC.: Statement of Benefits (SB-1)

Wayne Reisinger, Greater Lafayette Progress representative, said they support Elmsteel's request for tax abatement and recommend approval by the Council. Due to Elmsteel's success over the past 14 months, they are increasing their volume and are able to expand their facility and staff. Andrew Ball, Elmsteel's President, came forward to answer any questions.

- Applauding Elmsteel for moving forward in these poor economic times, Councilmember Kessler moved to approve the Statement of Benefits, seconded by Councilmember Bell; motion carried.

COURT SERVICES: Director Cindy Houseman

Fund 07

ADDITIONAL APPROPRIATION: \$8,456.00

6,599.00	Certified Instructor (2)
505.00	Social Security
314.00	Retirement
807.00	Insurance
231.00	Workers Comp

Fund 11

ADDITIONAL APPROPRIATION: \$265.00

228.00 Intake Specialist/Secretary
 18.00 Social Security
 11.00 Retirement
 8.00 Workers Comp

SALARY ORDINANCE	<u>Position</u>	<u>Rate</u>	<u>Salary</u>
2001			
Full Time	Certified Instructor (2)	1,099.83	6,599.00
	Intake Specialist	935.58/ 1,011.25	22,681.00
	Director	1,666.67/ 1,764.58	40,293.73

SALARY ORDINANCE	<u>Position</u>	<u>Rate</u>	<u>Salary</u>
2002			
Full Time	Certified Instructor (2)	1,154.83/ 1,222.67	57,468.00
	Intake Specialist	1,061.83	25,484.00
	Director	1,750.00/ 1,852.83	44,468.00

Ms Houseman requested funding approval for two (2) new Certified Instructors and the reclassification of the Intake Specialist/Secretary position for the remainder of 2001. The Salary Ordinance requests for the Certified Instructors and the Intake Specialist/Secretary are for 2001 and 2002. The Salary Ordinance requests for the Director are for increases in salary for 2001 and 2002 due to longevity.

Auditor Plantenga reminded Ms Houseman that she will need to request an Additional Appropriation in 2002 to pay the Certified Instructors' salaries and the increases for Intake Specialist/Secretary and Director.

- Councilmember Basham moved to approve an additional \$8,456.00 from Fund 07 for the two (2) Certified Instructor positions for 2001, seconded by Councilmember Bell; motion carried with Councilmember Kessler abstaining.
- Councilmember Basham moved to approve an additional \$265.00 from Fund 11 to fund the reclassification of the Intake Specialist/Secretary position for 2001, seconded by Councilmember Fruitt; motion carried with Councilmember Kessler abstaining.
- Councilmember Basham moved to approve the Salary Ordinance for two (2) Certified Instructors, the Intake Specialist/Secretary, and the Director for 2001, seconded by Councilmember Vernon; motion carried with Councilmember Kessler abstaining.
- Councilmember Basham moved to approve the Salary Ordinance for two (2) Certified Instructors, the Intake Specialist/Secretary, and the Director for 2002, seconded by Councilmember Vernon; motion carried with Councilmember Kessler abstaining.

COMMUNITY CORRECTIONS: Director Dave Kuebler

Fund 136

ADDITIONAL APPROPRIATION: \$25,000.00
 12,377.00 Day Reporting Supervisor

947.00	Social Security
588.00	Retirement
2,707.00	Insurance
433.00	Workers Comp
210.00	Office Supplies
238.00	Printing
5,000.00	Miscellaneous Services
2,500.00	Capital Equipment

Fund 36

ADDITIONAL APPROPRIATION: \$25,637.00

12,304.00	HD/RC Personnel
941.00	Social Security
584.00	Retirement
2,874.00	Insurance
431.00	Workers Comp
500.00	Office Supplies
68.00	Postage
200.00	Pagers
1,000.00	Capital Equipment

Fund 152

TRANSFER: \$5,071.00

From:	152-02-326100-3500	LSI-R	5,071.00
To:	152-02-118200	LSI-R/Training Coord	3,500.00
	152-02-171500	Overtime	875.00
	152-02-182100	Social Security	335.00
	152-02-182200	Retirement	208.00
	152-02-182500	Workers Comp	153.00

July 1, 2001 – June 30, 2002

SALARY ORDINANCE	Position	<u>Rate</u>	<u>Salary</u>
Full Time	Day Reporting Supervisor		12,377.00
	LSI-R/Training Coord		15,804.00

Mr. Kuebler requested approval of the Additional Appropriation for the new Day Reporting Supervisor position and other expenses from Fund 136, a DOC Grant. He also requested approval of funding for HD/RC personnel plus other expenses from Fund 36, User Fees. Mr. Kuebler withdrew the Transfer request because classification for this position has not been received from Wagner, Irwin, and Scheele.

- Councilmember Kessler moved to approve the Additional Appropriation of \$25,000.00 from Fund 136 for the Day Reporting Supervisor, seconded by Councilmember Bell; motion carried.
- Councilmember Kessler moved to approve the Additional Appropriation of \$17,137.00 from Fund 36 for HD/RC personnel, seconded by Councilmember Bell; motion carried.
- Councilmember Kessler moved to approve an appropriation of \$1,768.00 from Fund 36 for Office Supplies, Postage, Pagers, and Capital Equipment, seconded by Councilmember Bell; motion carried.

- Councilmember Kessler moved to approve the Salary Ordinance for the Day Reporting Supervisor position, seconded by Councilmember Fruitt; motion carried.

JUVENILE ALTERNATIVES

Fund 150

ADDITIONAL APPROPRIATION: \$27,400.00

12,024.00	Home Detention/Asst. Coord.
2,896.00	Administrative Asst.
1,142.00	Social Security
709.00	Retirement
2,707.00	Insurance
522.00	Workers Comp
7,400.00	Capital

- Councilmember Kessler moved to approve the Additional Appropriation from Fund 150, seconded by Councilmember Bell; motion carried.

RESOLUTION 2001-53-CL: Amends EDIT Plan to include Telecommunications Infrastructure Needs Assessment

Resolution 2001-53-CL will provide the County's portion of the funding for the Telecommunications Infrastructure Needs Assessment that will be conducted through the Greater Lafayette Community Development Corporation.

(quote)

TIPPECANOE COUNTY COUNCIL

RESOLUTION 2001-53-CL

RESOLUTION ENDORSING THE ADOPTION OF AN AMENDMENT TO THE TIPPECANOE COUNTY ECONOMIC DEVELOPMENT INCOME TAX CAPITAL IMPROVEMENT PLAN

WHEREAS, authority has been granted by I.C. 6-3.5-7-15 to the Board of Commissioners of the County of Tippecanoe, to adopt a Capital Improvement Plan for the County of Tippecanoe setting forth the uses of the revenues which Tippecanoe County shall receive from the Economic Development Income Tax duly adopted in the year 1989.

WHEREAS, the Tippecanoe County Council shall be involved in the consideration of appropriations and financing mechanisms; including but not limited to, bonds, as to the various projects set forth in the Capital Improvement Plan.

WHEREAS, the Tippecanoe County Council has previously ratified and endorsed prior Economic Development Income Tax Capital Improvement Plans as submitted by the Board of Commissioners in Resolution 90-4-CL dated May 7, 1990; Resolution 90-8-CL dated June 12, 1990; Resolution 91-14-CL dated August 13, 1991, Resolution 94-16-CL dated November 9, 1994, Resolution 96-06-CL adopted on April 9, 1996, Resolution 96-10-CL dated August 13, 1996, Resolution 97-17-CL adopted May 13, 1997 and Resolution 98-5-CL adopted January 13, 1998, Resolution 98-27-CL dated June 12, 1998, Resolution 98-35-CL dated July 29, 1998; and Resolution 98-43-CL dated October 13, 1998; Resolution 98-47-CL dated November 10, 1998; and Resolution 99-16-CL dated March 9, 1999; and Resolution 99-21-CL adopted on April 13, 1999; Resolution

99-20 CL adopted on May 11, 1999; Resolution 99-31-CL adopted on October 12, 1999; Resolution 2000-09-CL adopted on February 8, 2000; Resolution 2000-20-CL adopted on April 11, 2000; and Resolution 2000-26-CL adopted on May 9, 2000; and Resolution 2000-30-CL adopted on June 13, 2000; and Resolution 2001-09-CL adopted on March 13, 2001; and Resolution 2001-16-CL adopted April 10, 2001; and Resolution 2001-33-CL adopted August 14, 2001; and Resolution 2001-42-CL adopted September 10, 2001; and Resolution 2001-4- CL November 13, 2001; and

WHEREAS, the Tippecanoe County Council has had the opportunity to review the proposed Amendment Thirty-two (32) to the Capital Improvement Plan providing \$7,500.00 of funding for the provision of a Telecommunications Infrastructure Needs Assessment for the county as described in Resolution No. 2001-52-CM adopted by the Board of Commissioners of the County of Tippecanoe on December 3, 2001, and is of the opinion that the amendment providing for the funding of said project in the sum of \$7,500.00 as set forth therein will be beneficial and cost effective for Tippecanoe County.

NOW, THEREFORE, BE IT RESOLVED, that the Tippecanoe County Council endorses Amendment Thirty-two (32) to the Tippecanoe County Economic Development Income Tax Capital Improvement Plan adding thereto Project Thirty-three (33) providing funding in the amount of \$7,500.00 for the provision of a Telecommunications Infrastructure Needs Assessment for the county as adopted by the Board of Commissioners of the County of Tippecanoe pursuant to Resolution No. 2001-52-CM, a copy of which is attached hereto as Exhibit A.

Presented to the County Council of Tippecanoe County, Indiana, and adopted this 11th day of December, 2001 by the following vote:

VOTE	TIPPECANOE COUNTY COUNCIL
David S. Byers	David A. Byers, President
Connie Basham	Connie Basham, Vice President
Margaret K. Bell	Margaret K. Bell
Jeffrey Kessler	Jeffrey Kessler
Jeffrey A. Kemper	Jeffrey A. Kemper
Kathy Vernon	Kathy Vernon
Ronald L. Fruitt	Ronald L. Fruitt

ATTEST:

Robert Plantenga, Auditor

(unquote)

COMMISSIONERS' EDIT FUND 15

ADDITIONAL APPROPRIATION: \$7,500.00

7,500.00 Greater Lafayette Community Dev. Corp.

- Councilmember Kessler moved to approve the appropriation of \$7,500.00, seconded by Councilmember Fruitt; motion carried.

MANAGEMENT INFORMATION TECHNOLOGY SERVICES

County General Fund 01

TRANSFER: \$400

From:	01-50-112200	Programmer	400.00
To:	01-50-321000	Dues & Subscriptions	400.00

EDIT Fund 15/GIS

TRANSFER: \$16,000.00

From:	15-70-323050	Contractual Services	16,000.00
To:	15-70-407000	Capital Outlay	16,000.00

- Councilmember Kessler moved to approve the Transfers, seconded by Councilmember Basham; motion carried.

CORONER

TRANSFERS: \$400

From:	01-08-121410	Deputies	1,350.00
	01-08-171600	Part-time	400.00
To:	01-08-321060	Autopsies	1,750.00
From:	01-08-321800	Transfer Service	275.38
To:	01-08-224000	Morgue Supplies	275.38

- Councilmember Fruitt moved to approve the Transfers, seconded by Councilmember Basham; motion carried.

HEALTH

TRANSFERS: \$1,700.00

From:	01-46-112150	Chief Foods Div	500.00
	01-46-121690	Environmentalism	850.00
To:	01-46-221400	Medical Supplies	1,350.00
From:	01-46-114440	Assist. Registrar	350.00
To:	01-46-311000	Travel & Training	350.00

- Councilmember Bell moved to approve the Transfers, seconded by Councilmember Basham; motion carried.

PROSECUTOR

TRANSFERS: \$5,500.00

From:	01-09-122330	Witness Fees	2,000.00
To:	01-09-321000	Dues & Subscriptions	500.00
	01-09-323400	Transcripts & Records	1,500.00

From:	01-09-171600	Part-time	3,500.00
To:	01-09-322000	Law Books	3,500.00

- Councilmember Kessler moved to approve the Transfers, seconded by Councilmember Bell; motion carried.

DRAINAGE BOARD

TRANSFERS: \$4,140.00

From:	01-30-112154	Executive Secretary	2,720.00
	01-30-171600	Part-time	530.00
	01-30-182100	Social Security	340.00
	01-30-182200	Retirement	220.00
	01-30-182300	Health Insurance	330.00
To:	01-30-321350	Engineering Review Fees	4,140.00

- Councilmember Vernon moved to approve the Transfers, seconded by Councilmember Fruitt; motion carried.

AUDITOR

TRANSFER: \$1,000.00

From:	01-02-171600	Part-time	1,000.00
To:	01-02-221000	Printed Forms	1,000.00

- Councilmember Bell moved to approve the Transfer, seconded by Councilmember Basham; motion carried.

SHERIFF: Third Amendment to Compensation Agreement 2002

(quote)

THIRD AMENDMENT TO COMPENSATION AGREEMENT

WHEREAS, the parties hereto entered into a Compensation Agreement for a period of one year, ending December 31, 1999; and

WHEREAS, Paragraph 5 of said Agreement provides for a continuance of said Agreement for additional one year periods; and

WHEREAS, the parties have previously continued said Agreement for successive one year periods through December 31, 2001, and

WHEREAS, the parties hereto desire to continue said Agreement for a period of one year, commencing January 1, 2002, and ending December 31, 2002; and

NOW, THEREFORE, in consideration of the mutual covenants, agreements and conditions contained herein;

IT IS AGREED THAT:

1. The Compensation Agreement between the parties for compensation of David R. Murtaugh as Sheriff of Tippecanoe County, Indiana, hereby is extended for the period from January 1, 2002, to December 31, 2002.

2. Paragraph 10 of said Compensation Agreement is amended to state as follows:

“11. The annual salary to be paid Murtaugh shall be Ninety-seven Thousand Five Hundred Ninety-four and no/100 Dollars (\$97,594.00) for fiscal year 2002.”

3. Except as amended by this Agreement, all provisions of the Compensation Agreement shall remain in full force and effect during the year 2002.

4. This Amendment shall be effective as of January 1, 2002.

IN WITNESS WHEREOF, the parties hereto set their respective hands this 11th day of December, 2002.

TIPPECANOE COUNTY SHERIFF

David R. Murtaugh
Sheriff of Tippecanoe County

TIPPECANOE COUNTY COUNCIL

David Byers, President

Connie Basham, Vice President

Margaret K. Bell

Ronald L. Fruitt

Kathy Vernon

Jeffrey Kessler

Jeffrey A. Kemper

BOARD OF COMMISSIONERS
OF TIPPECANOE COUNTY

ATTEST:

Ruth Shedd, President

Robert Plantenga, Auditor

John Knochel, Vice President

APPROVED AS TO FORM:

David W. Luhman,
Tippecanoe County Attorney

KD Benson, Member

(unquote)

- Councilmember Kessler moved to approve the Third Amendment to the Sheriff's Compensation Agreement for 2002, seconded by Councilmember Fruitt; motion carried.

2002 COMMISSARY FUND EXPENDITURES: Sheriff Dave Murtaugh

Sheriff Murtaugh requested a motion to approve the following expenditures from the Commissary Fund for 2002 according to IC 36-8-10-21 (8) and any other purpose that benefits the Sheriff's Department that is mutually agreed upon by the county fiscal body and the County Sheriff. He is requesting an increase to \$500.00 in the not to exceed amount for item #20 and is also asking that this amount be retroactive to 2001 due to unexpected expenses.

(quote)

1. Haircuts for trustees and indigent inmates
2. Reimbursement for lost or damaged inmate property
3. Reimbursement for expenses of inmates in transit
4. Postage for indigent inmates
5. Shipping cost regarding department equipment or evidence
6. Supplies or equipment to promote educational activities for inmates
7. Reimbursement for damage employee property
8. Reimbursement for investigation expenses
9. Expenses for advertising for community events that promote the Sheriff's Department
10. Matching funds for grants
11. Advertising for job applicants
12. Expenses for installation and service of Sheriff's Department equipment
13. Expenses associated with contracting professional consultants
14. Expenses for hiring temporary employees
15. Expenses associated for rental of specialized equipment
16. Expenses associated with rewarding inmates and employees
17. Expenses associated special events for inmates
18. Expenses associated regarding special details or investigations

19. Expenses associated with hosting training events
20. Any other purpose that benefits the Sheriff's Department at does not exceed \$500.

(unquote)

- Councilmember Basham moved to approve the expenditures for the Commissary Fund for 2002 and #20 retroactive to 2001, seconded by Councilmember Vernon; motion carried.

AGREEMENT FOR ANIMAL SHELTER & DISPOSAL

This Agreement is for December 2001 and the calendar year of 2002.

(quote)

THIS AGREEMENT, entered into between Tippecanoe County, Indiana ("**County**") and the Tippecanoe County Humane Society, Inc. ("**Society**") is made on this 19TH Day of November, 2001 and the parties hereto agree to the following.

This agreement is subject to ratification by the Tippecanoe County Council. The execution hereof by the Society has been previously approved by its Board of Directors.

The parties hereto acknowledge the need to organize animal shelter and disposal services within the unincorporated areas of the County and to that end, agree that this arrangement between the two of them is to be conducted in the spirit of providing service to the citizens of the County through the joint efforts of both parties hereto.

PART ONE: ANIMAL SHELTERING AGREEMENT

The **Society** will accept animals from the County pursuant to the Society's rules, regulations, procedures and all applicable Local, State and Federal laws.

The **Society** will accept animals from the County as "Impounded", "Owner Surrendered", or "Bite Cases".

"Impounded" animals are those taken-up by the County's sheriff department or authorized agents in connection with a violation of County, State or Federal law. "Impounded" animals will be held for a maximum of five (5) days, counted from the first day of possession as recorded by the County, unless otherwise ordered, in writing, by a Prosecuting Attorney, County Attorney or Court.

"Owner Surrendered" animals are those whose owners have formally transferred legal ownership of the animal to the Society, the County or its authorized agent. A written statement verifying the transfer must be given to the Society when the animal is delivered to the animal shelter. "Owner Surrendered" animals become the property of the Society immediately upon completion of the in-take paperwork, and will be disposed of in a humane manner at the discretion of the Society.

"Bite Case" animals are those which have been implicated in a bite or scratch incident involving a human being, and whose owner is unknown or is judged incapable of quarantining the animal by the County's agent. Normal Society procedures and applicable State laws will govern the impoundment of all "bite cases". When an owner can not be identified within five (5) days of impoundment the "bite case" animal will be euthanized and a rabies test will be performed.

The **County** agrees to reimburse the Society for the costs of providing, a shelter for animals taken into custody within the unincorporated areas of the County and brought to the Society by an authorized agent or the sheriff department of the County or by any resident thereof, for impoundment and care as described above, and the humane disposal of same.

PART TWO: EMPLOYEES

It is the policy of the **Society** to seek and employ qualified personnel in all positions, to provide equal opportunities for the advancement of employees, including upgrading, promotion and training, and to administer these activities in a manner which will not discriminate against any person because of race, color, creed or religion, national origin, sex, age or physical or mental handicap.

The **Society** agrees to submit to the County a copy of their annual budget upon request, and gives permission to the State Board of Accounts to examine the Society's account if deemed necessary.

In recompense for the costs of the agreement above the **County** agrees to reimburse the Society, at a pro-rated fee for service December 2001 through December 2002, for a total of Fifty-Six Thousand Sixty-Seven and sixty-eight cent (\$56,067.68) Dollars to be divided into thirteen equal payments of Four Thousand Three Hundred Twelve and ninety (sic) cent (\$4,312.90) Dollars each, due by the last calendar day of each month during 2002.

Executed this 3rd day of December, 2001

TIPPECANOE COUNTY HUMANE
SOCIETY, INC. LAFAYETTE, INDIANA

BOARD OF COMMISSIONERS
OF THE
COUNTY OF TIPPECANOE, INDIANA

BY: /s/Edith Doland, President

BY: _____
Ruth Shedd

/s/Max Champion, Executive Director

John L. Knochel

KD Benson

ATTEST:

/s/Cheri Rawles, Secretary

Robert Plantenga, Auditor of
Tippecanoe County, Indiana

ACKNOWLEDGED, this 11th day of December, 2001, by the Tippecanoe County Council and Tippecanoe County Sheriff, Tippecanoe County, Indiana.

TIPPECANOE COUNTY SHERIFF

TIPPECANOE COUNTY COUNCIL

David Murtaugh

Margaret Bell

Connie Basham

Jeff Kemper

Jeff Kessler

David Byers

Kathy Vernon

Ronald Fruitt

ATTEST:

Robert Plantenga, Auditor

(Unquote)

- Councilmember Kessler moved to approve the Agreement with the Humane Society for Animal Sheltering and Disposal for December 2001 and the calendar year of 2002, seconded by Councilmember Basham; motion carried.

REQUEST TO EXTEND ADDITIONAL SERVICE CREDIT (PERF): Carolyn M. Scott Matthews

Since no County records are available, the Council was asked to approve this Extend Additional Service Credit form for Carolyn M. Scott Matthews so that her years of employment in Tippecanoe County will count toward her retirement. Ms Matthews worked as Legal Secretary in the Prosecutor's Office from January 1, 1953 to December 31, 1958. Notarized affidavits from officials at that time, Prosecutor George L. Hanna, and Deputy Prosecutor David J. Crouse, were submitted as verification of her employment during those years.

- Councilmember Basham moved to grant the Request to Extend Additional Service Credit for Carolyn M. Scott Matthews, seconded by Councilmember Vernon; motion carried.

ANNOUNCEMENT

The 2003 Budget Hearings will be held beginning August 26, 2002.

The Council will discuss Goals for 2002 prior to the Working Session on **Thursday, January 10, 2002**. The Regular Council Meeting will be held on **Tuesday, January 15, 2002**.

ADJOURNMENT

- Councilmember Fruitt moved to adjourn, seconded by Councilmember Bell; motion carried.

Robert A. Plantenga, Auditor